

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 10-24-03.

I. DISPUTE

Whether there should be reimbursement for 99214, and 76499 on dates of service 12-6-02 through 7-11-03.

II. FINDINGS

On 12-30-03, the Division submitted a Notice to the requestor to notify the requestor that they failed to make payment of the IRO fee as required by Commission Rule 133.308 (r)(1)(B) and subsequently, the medical necessity issues were dismissed. Per Rule 133.307(g)(3), the Notice also requested the requestor to submit additional documentation necessary to support the fee charges and to challenge the reasons the respondent had denied reimbursement within 14 days of the requestor's receipt of the Notice.

III. RATIONALE

CPT code 99214 on dates of service 12-6-02, 1-17-03, 2-14-03, 4-4-03, 6-13-03, and 7-11-03 was denied as "F, 43 – The procedure billed exceeds the level of service required by the diagnosis given or the condition for which this patient is being treated." CPT code 76499 on date of service 2-14-03 was denied as "N, 09 – The procedure was disallowed because the provider did not identify the service or materials supplied sufficiently, or the service or materials were not sufficiently quantified to make payment possible." This review will be done per the 1996 *Medical Fee Guideline*. The requestor did not submit additional documentation to support delivery of service; therefore, no reimbursement recommended.

IV. DECISION

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is not** entitled to reimbursement for CPT codes 99214 and 76499.

The above Findings and Decision are hereby issued this 12th day of February 2004.

Dee Z. Torres
Medical Dispute Resolution Officer
Medical Review Division

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